

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

RAPHAEL BARRETO,

Petitioner,

v.

M. MARTEL, Warden,

Respondent.

No. C 08-2008 MHP (PR)

**ORDER DENYING MOTION TO
PROCEED IN FORMA PAUPERIS ON
APPEAL**

The Court denied Petitioner's petition for writ of habeas corpus, entered judgment in favor of Respondent, and declined to issue a certificate of appealability on February 10, 2010. Presently before the Court is Petitioner's request to proceed in forma pauperis ("IFP") on appeal (Docket No. 17).

Petitioner's motion to proceed IFP on appeal is DENIED. In denying the certificate of appealability, the Court concluded that there are no valid grounds for an appeal. Accordingly, granting Petitioner's request to proceed IFP on appeal would not be appropriate.

IT IS SO ORDERED.

DATED: July 1, 2010


MARILYN HALL PATEL
United States District Judge